

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THOMAS J. MIDRANO and	:	CIVIL NO. 1:04-CV-0963
SUSAN K. MIDRANO,	:	
	:	
Plaintiffs	:	(Magistrate Judge Smyser)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant	:	

ORDER

IT IS ORDERED that the last paragraph of the Memorandum and Order filed on June 24, 2005 is amended to read as follows:

The defendant's motion for summary judgment is **GRANTED**. **IT IS ORDERED** that on the basis of an untimely action, the action will be dismissed with prejudice. **IT IS FURTHER ORDERED** that summary judgment shall be entered by the Clerk in favor of the defendant and against the plaintiffs. The Clerk is directed to close this case.

/s/ J. Andrew Smyser
J. Andrew Smyser
Magistrate Judge

Dated: June 24, 2005.